



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 28, 2007

**BY HAND**

The Honorable Thomas P. Griesa  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1630  
New York, New York 10007

Re: United States v. Dane Clarke  
07 Cr. 500 (TPG)

*On Consent*  
~~SO ORDERED~~  
*KMB*  
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RICHARD M. BERMAN U.S.D.J.  
*6/28/07* *PART I*

Dear Judge Griesa:

The above-referenced defendant, Dane Clarke, is one of eleven defendants in the above-referenced matter. Mr. Clarke was arrested on the afternoon of June 18, 2007, and he was presented and arraigned before Magistrate Judge Eaton on June 19, 2007. Mr. Clarke satisfied the bail conditions that were set by Judge Eaton earlier this week, and he was released from custody on Tuesday, June 26, 2007. The next conference in this case is scheduled to take place on September 5, 2007 at 4:30 p.m.

The Government respectfully writes to request that the Court exclude time in this matter with respect to defendant Dane Clarke,<sup>1</sup> pursuant to Title 18, United States Code, Section 3161(h)(8)(A), until the next scheduled conference, on September 5, 2007. Such an exclusion will serve the ends of justice and outweighs the interests of the defendant and the public in a speedy trial because, among other reasons, it will enable the Government to produce discovery, the defense to review that discovery and contemplate any motions, and the parties to discuss a possible disposition of this matter. The Government has spoken with counsel for Mr. Clarke,

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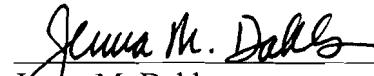
<sup>1</sup> With respect to the remaining ten defendants, time has already been excluded until September 5 on consent, by oral order of either Your Honor or Magistrate Judge Eaton.

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Marc Greenwald, Esq., and with the understanding that the Government has agreed to produce discovery by Friday, July 13, 2007, he consents to the exclusion of time until September 5.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By:   
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Jenna M. Dabbs  
Assistant United States Attorney  
(212) 637-2212

cc: Marc Greenwald, Esq. (By facsimile)